

-----X
CHARLES E. CLARKE,

Petitioner,

-v-

STATE OF NEW YORK,

Respondent.
-----X

CIVIL JUDGMENT
08-CV-581 (JG)

FILED
IN CLERKS OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ MAR 11 2008 ★
JP

Pursuant to the order issued on _____ by the undersigned dismissing the petition for a writ of habeas corpus under 28 U.S.C. § 2254, it is,

ORDERED, ADJUDGED AND DECREED: That the petition is hereby dismissed. As petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability shall not issue. 28 U.S.C. § 2253(c). The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith and, therefore, *in forma pauperis* status is denied for the purpose of any appeal. *Coppedge v. United States*, 369 U.S. 438, 444-445 (1962).

s/

JOHN GLEESON
United States District Judge

Dated: Brooklyn, New York
March 4, 2008